

**DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE**

Milk in the Central Marketing Area;
Hearing on Proposed Amendments to
Tentative Marketing Agreement and Order

Docket No.: AO-313-A-44; DA-01-07

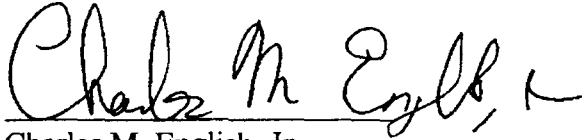
**COMMENTS ON BEHALF OF ANDERSON ERICKSON DAIRY COMPANY
AND DEAN FOODS COMPANY IN SUPPORT OF
TENTATIVE DECISION AND PROPOSED AMENDMENTS TO
POOLING STANDARDS IN THE CENTRAL MARKETING AREA**

Anderson Erickson Dairy Company (A-E) and Dean Foods Company (Dean), offer these comments in support of the Secretary's Tentative Decision on Proposed Amendments to the Central Marketing Area pooling standards published November 19, 2002.

A-E and Dean believe the Secretary's Tentative Decision and Proposed Amendments as published on November 19, 2002 adequately and appropriately address the disorderly marketing conditions raised by A-E, Dean and others during the hearing by taking steps: (1) to prohibit the pooling of the same milk on the Central Order when it has also participated in a marketwide equalization pool maintained by a state government; and (2) by otherwise insuring that milk that participates in the pool is available to and actually serves the fluid milk market.

A-E and Dean applaud the Secretary's thoughtful and effective determination and encourage the Secretary to adopt promptly the Tentative Decision and Proposed Amendments as published on November 19, 2002. 67 Fed. Reg. 69910 (Nov. 19, 2002). A-E and Dean also urge the Secretary to implement through an Interim Rule the Tentative Decision promptly so as to establish and maintain orderly conditions in the Central Marketing Area. The conditions described in the Hearing Record mandate such emergency action, and the local dairy industry regulated by the Central Marketing Order deserves immediate attention.

Respectfully submitted,

A handwritten signature in black ink, reading "Charles M. English, Jr." with a stylized flourish at the end.

Charles M. English, Jr.
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